



CONGRESSIONAL HISPANIC CAUCUS
Michelle Lujan Grisham | Chairwoman
115TH CONGRESS

March 8, 2017

The Honorable John F. Kelly
Secretary of Homeland Security
Department of Homeland Security
Washington, DC 20528

Dear Secretary Kelly:

We are extremely concerned that the Department of Homeland Security (DHS) is considering separating parents from children at the U.S.-Mexico border. It is appalling that DHS would try to use family separation as a deterrent aimed at families fleeing violence. Our country has a longstanding history of welcoming refugees and immigrants. We have been a beacon of hope for individuals fleeing dangerous conditions. This proposed policy would tarnish this history by taking a punitive approach towards vulnerable women and children. Moreover, a U.S. Federal Court has already made it clear detention cannot be used as a way to deter future migration^[1]. For these reasons, we oppose the implementation of any policy that would separate children from their families.

The Congressional Hispanic Caucus is not alone in opposing this proposal. The American Academy of Pediatrics (AAP) released a statement saying that “proposals to separate children from their families as a tool of law enforcement to deter immigration are harsh and counterproductive” and that federal authorities should “exercise caution to ensure that the emotional and physical stress children experience as they seek refuge in the United States is not exacerbated by the additional trauma of being separated from their siblings, parents or other relatives and caregivers.” It is clear that this policy will cause permanent and irreparable psychological harm to migrant children.

Family separation at the border is not only harmful to children’s well-being but could also violate international laws meant to protect families and children. Per the Universal Declaration of Human Rights and International Covenant on Civil and Political Rights, a family unit should be respected and protected. In addition, the UN Convention on the Rights of the Child (CRC) provides that children have a right to live with their parents and directs State Parties to ensure that a child is protected against all forms of discrimination or punishment based on his or her parents’ or guardians’ legal status. Additionally, the concept in the CRC of the “best interests of the child” is a foundational principle of child protection and is central to all U.S. state court proceedings involving children, particularly when separation from family is at issue.

Families seeking asylum at our border are fleeing violence in their home countries and have survived a treacherous journey in order to make it to the U.S. We must ensure that these families are protected and able to avail themselves of our legal asylum process. There is nothing in this proposal that would make Americans safer; instead it flies in the face of our core values by further traumatizing vulnerable women and children. This is not who we are as a nation.

Sincerely,


Michelle Lujan Grisham
CHC Chairwoman


Ruben Gallego
CHC Second Vice Chair



Pete Aguilar
CHC Whip



Luis V. Guterres
CHC Immigration and Border Issues
Task Force Chair



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CHC Latin America and Foreign Affairs
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Tony Cardenas
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Nydia Velázquez
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Filemon Vela
Member of Congress



Juan Vargas
Member of Congress



Zoe Lofgren
Ranking Member
Subcommittee on Immigration and Border Security

⁽¹⁾ RILR v. Johnson, July 31, 2015



Linda Sanchez
Member of Congress



Adriano Espaillat
Member of Congress